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BIRCH, STEWART, KOLASCH & BIRCH, LLP

P.O. Box 747 • Falls Church, Virginia 22040-0747
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

Attorney Docket No. 0756-0124P

COPY

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

FUNCTIONAL VITAMIN D DERIVATIVES AND METHOD OF DETERMINING 25-HYDROXY- AND 1 α ,25-DIHYDROXY VITAMIN D

Fill in Appropriate
Information -
For Use Without
Specification
Attached:

the specification of which is attached hereto. If not attached hereto,
the specification was filed on March 3, 2004 as
United States Application Number 10/790,746
and amended on _____ (if applicable) and/or
the specification was filed on _____ as PCT
International Application Number _____ and was
amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority
Information:
(if appropriate)

Prior Foreign Application(s)

Priority Claimed

<u>198 28 379.2</u> (Number)	<u>DE</u> (Country)	<u>June 25, 1998</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>198 40 435.2</u> (Number)	<u>DE</u> (Country)	<u>September 4, 1988</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional
Application(s):
(if any)

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Country	Application Number	Date of Filing (Month/Day/Year)
---------	--------------------	---------------------------------

Insert Requested
Information:
(if appropriate)

_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.
Application(s):
(if any)

<u>09/720,338</u> (Application Number)	<u>December 22, 2000</u> (Filing Date)	<u>Pending</u> (Status - patented, pending, abandoned)
<u>PCT/EP99/04418</u> (Application Number)	<u>June 25, 1999</u> (Filing Date)	<u>Entered National stage</u> (Status - patented, pending, abandoned)

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or CUSTOMER NO. 02292

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Full Name of First
or Sole Inventor:
Insert Name of
Inventor
Insert Date This
Document is Signed

GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Franz Paul ARMBRUSTER	<i>Franz Paul Armbruster</i>	May - 27 th - 2004
Residence (City, State & Country)		CITIZENSHIP
Bobenheim-Roxheim, GERMANY		German
MAILING ADDRESS (Complete Street Address including City, State & Country)		
Mittelstrasse 24, 67240 Bobenheim-Roxheim, GERMANY		

Insert Residence
Insert Citizenship

Insert Post Office
Address

Full Name of Second
Inventor, if any:
see above

GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Wolfgang VOELTER		
Residence (City, State & Country)		CITIZENSHIP
Tübingen, GERMANY		German
MAILING ADDRESS (Complete Street Address including City, State & Country)		
Panoramastrasse 71, 72070 Tübingen, GERMANY		

Full Name of Third
Inventor, if any:
see above

GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Jens TAMPE (formerly SCHWING)		
Residence (City, State & Country)		CITIZENSHIP
München, GERMANY		German
MAILING ADDRESS (Complete Street Address including City, State & Country)		
Bingener Strasse 20, 80993 München, GERMANY		

Full Name of Fourth
Inventor, if any:
see above

GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Christian BIRKMAYER		
Residence (City, State & Country)		CITIZENSHIP
München, GERMANY		German
MAILING ADDRESS (Complete Street Address including City, State & Country)		
Reitmorstrasse 54, 80538 München, GERMANY		

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Full Name of Second
Inventor, if any:
see above

Full Name of Third
Inventor, if any:
see above

Full Name of Fourth
Inventor, if any:
see above

GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Franz Paul ARMBRUSTER		
Residence (City, State & Country)	CITIZENSHIP	
Bobenheim-Roxheim, GERMANY	German	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
Mittelstrasse 24, 67240 Bobenheim-Roxheim, GERMANY		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Wolfgang VOELTER	<i>Wolfgang Voelter</i>	20.5.04
Residence (City, State & Country)	CITIZENSHIP	
Tübingen, GERMANY	German	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
Panoramastrasse 71, 72070 Tübingen, GERMANY		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Jens TAMPE (formerly SCHWING)		
Residence (City, State & Country)	CITIZENSHIP	
München, GERMANY	German	
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Christian BIRKMAYER		
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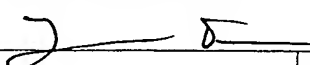
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Insert Citizenship

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Full Name of Second
Inventor, if any:
see above

Full Name of Third
Inventor, if any:
see above

Full Name of Fourth
Inventor, if any:
see above

GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Franz Paul ARMBRUSTER		
Residence (City, State & Country)	CITIZENSHIP	
Bobenheim-Roxheim, GERMANY	German	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
Mittelstrasse 24, 67240 Bobenheim-Roxheim, GERMANY		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Wolfgang VOELTER		
Residence (City, State & Country)	CITIZENSHIP	
Tübingen, GERMANY	German	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
Panoramastrasse 71, 72070 Tübingen, GERMANY		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Jens TAMPE (formerly SCHWING)		13 July 2004
Residence (City, State & Country)	CITIZENSHIP	
München, GERMANY	German	
MAILING ADDRESS (Complete Street Address including City, State & Country)		
Binger Strasse 20, 80993 München, GERMANY <i>Strasse 125 80805 München</i>		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Christian BIRKMAYER		
Residence (City, State & Country)	CITIZENSHIP	
München, GERMANY	German	
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Inventor, if any:
see above

Full Name of Third
Inventor, if any:
see above

Full Name of Fourth
Inventor, if any:
see above

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Bingener Strasse 20, 80993 München, GERMANY		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Christian BIRKMAYER		26-05-04
Residence (City, State & Country)	CITIZENSHIP	
München, GERMANY	German	
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